United Nations S/2003/480

Security Council

Distr.: General
15 April 2003

Original: English

Letter dated 5 April 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 22 November 2002 (S/2002/1291).

The Counter-Terrorism Committee has received the attached third report from Singapore submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

03-34324 (E) 120503

Annex

Letter dated 14 February 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Singapore to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Pursuant to resolution 1373 (2001), and further to your letter dated 15 November 2002, I have the honour to transmit the response of the Republic of Singapore to the questions and comments posed by the Counter-Terrorism Committee with regard to the implementation of the resolution (see enclosure).

(*Signed*) **Tan** York Chor
Chargé d'affaires a.i.

Enclosure

Singapore's response to the questions contained in the letter from the Chairman of the Counter-Terrorism Committee dated 15 November 2002

- **Qn 1.2: In regard to effective implementation of paragraph 1 of the resolution, please explain whether there are any legal or other administrative measures that ensure that funds and other economic resources collected by non-profit organizations (e.g religious, charitable or cultural organizations) are not diverted for other than the stated purposes, particularly for financing of terrorism. As this requires an appropriate monitoring mechanism, how does Singapore ensure this or propose to ensure this.**

Singapore's response:

1 The non-profit organisations referred to in the question might include societies and charities. In Singapore, societies are required to be registered under the Societies Act. The Societies Act has provisions for the proper accounting and recording of transactions, including fund-raising appeals, of registered societies. Registered societies are required to submit their annual statement of accounts, and the auditor's report where applicable, to the Registrar of Societies. In addition, the Societies Act empowers the Registrar to order a registered society to furnish him with any information, including accounts and books relating to the society.

2 Charities in general have to be registered with the Commissioner of Charities. The Charities Act empowers the Commissioner to institute inquiries where there is misconduct or mismanagement in the administration of the charity. The regulatory function is performed by reviewing the annual reports and statements of accounts to ensure that charities carry out their activities in accordance with their objectives and that they comply with the provisions of the Charities Act and any requirements as prescribed in the Charities Regulations. Registered charities are required to submit its annual reports and statement of accounts to the Commissioner within six months of the close of each financial year. Charities whose annual receipts or expenditure exceed S$250,000 must be audited by an approved company auditor. The Commissioner also has the powers to call for any information relating to any charity, or take possession of any books, documents or papers as may be necessary.

3 In addition, any organisation that wishes to conduct or participate in any fund-raising appeal for foreign charitable purposes must apply for a permit under the Charities (Fund-Raising Appeals For Foreign Charitable Purposes) Regulations. Every permit holder must maintain proper records and accounts in respect of the fund-raising appeal, including the amount transmitted to any person outside Singapore and to whom the money was transmitted. The statement of accounts of the fund-raising appeal must be audited by an approved auditor and submitted to the Commissioner within 60 days of the last day of the appeal or within such extended period as may be allowed by the Commissioner.

4 There are certain charities that are exempted under the Charities Act. These include educational or religious institutions established by separate Acts of Parliament. For this category of exempt charities, oversight is carried out by the relevant Ministry as identified in the Act. The parent Ministries have the authority to appoint the Chairman and Members of the Governing Boards of these institutions. This is important as the Governing Board is the decision-making authority on the programmes and finances of these institutions. These institutions are also required to submit their annual accounts and auditors' reports to the Ministry in-charge. An external auditor is appointed, in consultation with the Minister in charge, to conduct checks and ensure that receipts, expenditures and investment of monies, and the acquisition and disposal of assets during the financial year are done in accordance with the provisions of their governing legislation. They also assess whether proper accounting and records are kept, including assets whether purchased, donated or otherwise.

5 The law enforcement agencies may also monitor non-profit organisations to ensure that the activities and funds are not used for unlawful purposes.

- **Qn 1.3: The CTC would be grateful to have a progress report on the enactment of the Terrorism (Suppression of Financing) Bill.**

Singapore's response:

6 Singapore deposited the instrument of ratification for the International Convention for the Suppression of Financing of Terrorism on 30

Dec 2002. The Convention entered into force on 29 Jan. 2003. The Terrorism (Suppression of Financing) Act was brought into operation on the same day.

- **Qn 1.4: Sub-paragraph 2 (a) of the Resolution, inter alia, requires all states to suppress recruitment of members of terrorist groups. The supplementary report explains that the Internal Security Act provides that, 'if' the President is satisfied with respect to any person that, with a view to preventing that person from acting in any manner *prejudicial to the security of Singapore or any part thereof, or to the maintenance of public order or essential services, therein*, it is necessary to do so, the Minister for Home Affairs shall make an order directing that such person be detained for any period not exceeding two years." As the Resolution refers to recruitment of members of terrorist groups in general, which might be operating anywhere and could effect the security of any government or organisation, what provisions are available or what action does Singapore intend to take to achieve full compliance with this paragraph?**

Singapore's response:

7 There are adequate provisions in the Internal Security Act which can be used against any terrorist group operating in Singapore, irrespective of whether such groups are made up of foreigners or Singaporeans. The Internal Security Act can also be used to deal with the recruitment of members of terrorist groups in general.

- **Qn 1.5: Please explain how Singapore would deal with a foreigner who has committed a terrorist act outside Singapore against another State or its citizens and is found in the territory of Singapore. Would Singapore prosecute the terrorist, if he or she were not extradited, in order to fulfill the requirement of sub-paragraph 2 (e) of the Resolution?**

Singapore's response:

8 The specific action that would be taken against a foreigner who is accused of committing a "terrorist act" outside Singapore and is found in Singapore will depend on various factors such as the nature of the alleged offence, the place where the offence was committed and the strength and nature of the evidence against the terrorist. Every case would ultimately have

to be decided on its own facts. However, there are adequate provisions in Singapore's laws for us to take action against terrorists found in Singapore, even if they have not committed terrorist acts in Singapore. Since Dec 2001, the Singapore Government has arrested over 30 members, including 1 non-Singaporean, of the clandestine group, Jemaah Islamiyah, as well as one Singaporean belonging to the Moro Islamic Liberation Front, for terrorism related activities, which included activities aimed at non-Singaporean targets. This is a demonstration of Singapore's commitment and capacity to take action against terrorists found in Singapore, in compliance with sub-paragraph 2 (e) of the Resolution.

- **Qn 1.6: Paragraph 3 calls upon all states to become parties as soon as possible to all the relevant international conventions and protocols relating to terrorism. The CTC would appreciate receiving information on the progress made of ratification of those conventions and protocols by Singapore.**

Singapore's response:

9 In addition to being a party to the four Conventions on terrorism listed in our first report, and to the International Convention on the Suppression of Financing of Terrorism (see para 6 above), Singapore has deposited the Instrument of Accession to the Convention on the Marking of Plastic Explosives for the Purpose of Detection on 20 January 2003. The Convention shall enter into force for Singapore on 21 March 2003.

10 Singapore has completed draft legislation that would allow us to accede to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. We are in the process of finalising the draft before it is submitted to Parliament. Singapore is also considering the ratification of the remaining United Nations Conventions on Terrorism that we have not yet ratified or accede to. Singapore does not have a specific timetable for future ratifications

- **Qn 2.1: The CTC is eager to facilitate the provision of assistance and advice in connection with the implementation of the Resolution. It encourages Singapore to inform the CTC of any areas in which assistance or advice might be of benefit in taking forward the implementation of the Resolution in Singapore, or of any areas in**

which Singapore might be in a position to offer assistance or advice to other States on the implementation of the Resolution. The CTC maintains a Directory of Information and Sources of Assistance in the field of Counter-Terrorism on which all relevant information on available assistance is posted. It can be found on the CTC's website (www.un.org/sc/ctc). The CTC's Technical Assistance Team is available to discuss any aspect of the provision of assistance and can be contacted as in para 3.1 below.

Singapore's response:

11 As part of Singapore's efforts to help countries in the region build capacity in counter terrorist financing, Singapore and the United States co-hosted a counter terrorism finance workshop in Singapore on 21-22 Jan 2003. The workshop was attended by 85 participants from 25 countries from Association of Southeast Asian Nations (ASEAN) and Pacific Islands Forum (PIF). During the workshop, the Monetary Authority of Singapore and the Commercial Affairs Department of the Singapore Police Force, as well as representatives from other states, provided briefings to participants on their experience in counter terrorism finance and other related issues. Representatives from the CTC, FATF and APG also addressed the workshop.

- **Qn 2.2: Although there is no mention in either of the reports of assistance that Singapore might be able to provide to other States, the CTC would be grateful for an indication of any assistance or advice that Singapore is in a position to provide.**

Singapore's response:

12 In order to help enhance the capabilities of ASEAN countries in the fight against terrorism, Singapore has offered through the framework of the Special ASEAN Ministerial Meeting on Terrorism to support training in bomb/ explosive detection, post-blast investigation, airport security and passport/ document security and inspection.

- **Qn 2.3: At this stage the CTC will be focusing on requests for assistance that relate to 'Stage A' matters. However, the assistance to be provided by one State to another on any aspect of the implementation of the Resolution is a matter for agreement between them. The CTC would be grateful to be kept informed of any such**

arrangements and on their outcome.

Singapore's response:

13 Singapore would like to inform the CTC that Singapore and the United States signed an agreement on 20 Sep 2002 to cooperate on the Container Security Initiative (CSI). The objective of the CSI is to pre-screen US-bound containers to prevent and deter the introduction of weapons of mass destruction into the maritime environment. Singapore was the first pilot port in Asia to come under the CSI.